

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Larry E. Arthaud

Serial No.: 10/596,734

Filed: June 22, 2006

For: ANTI-CD52 ANTIBODY TREATMENT
FOR DIABETES

Group Art Unit: 1644

Examiner: Unknown

Atty. Dkt. No.: ILEX:096US

Confirmation No.: 9958

CERTIFICATE OF ELECTRONIC SUBMISSION

DATE OF SUBMISSION: October 23, 2006

INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

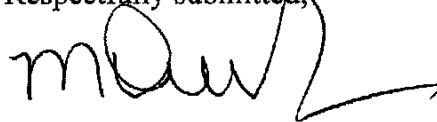
In accordance with 37 C.F.R. § 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. § 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/ILEX:096US.

Applicant respectfully requests that the listed documents be made of record in the present case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'm. de la paz', with a long horizontal flourish extending to the right.

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Attorney for Applicant

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Date: October 23, 2006

Form PTO-1449 (modified)		Atty. Docket No. ILEX:096US	Serial No. 10/596,734
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant Larry E. Arthaud	
		Filing Date: June 22, 2006	Group: 1644
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1-2</i>	

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Language

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Andre <i>et al.</i> , "Checkpoints in the progression of autoimmune disease: Lessons from diabetes models," <i>Proc Natl Acad Sci USA</i> , 93: 2260-2263, 1996.
	C2	Becker <i>et al.</i> , "Identifying the pre-diabetic state in type I diabetes," <i>J. Autoimmun.</i> , 3:639-642, 1990.
	C3	Bingley, "Interactions of age islet cell antibodies, insulin autoantibodies and first phase insulin response in predicting risk of progression to IDDM in ICA ⁺ relatives; the ICARUS data set," <i>Diabetes</i> , 45:1720-1728, 1996.
	C4	Bowen <i>et al.</i> , "Subcutaneous CAMPATH-1H in fludarabine-resistant/relapsed chronic lymphocytic and B-prolymphocytic leukemia," <i>Br. J. Hematol.</i> , 96:617-9, 1997.
	C5	Coles <i>et al.</i> , "Monoclonal antibody treatment exposes three mechanisms underlying the clinical course of multiple sclerosis," <i>Ann. Neurol.</i> , 46:296-304, 1999.
	C6	Hale <i>et al.</i> , "The CAMPATH-1 antigen (CDw52)," <i>Tissue Antigens</i> , 35:118-27, 1990.
	C7	Herold <i>et al.</i> , "Anti-CD3 monoclonal antibody in new onset type I diabetes mellitus," <i>N. Engl. J. Med.</i> , 346:1692-1698, 2002.
	C8	Kilo, "Value of glucose control in preventing complications of diabetes," <i>Am J Med</i> , 79 (suppl 2B): 33-37, 1985.
	C9	Kulmala <i>et al.</i> , "Prediction of insulin-dependent diabetes mellitus in siblings of children with diabetes - a population based study," <i>J. Clin. Invest.</i> , 101:327-336, 1998.

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EXAMINER:**DATE CONSIDERED:**

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

Form PTO-1449 (modified)		Atty. Docket No. ILEX:096US	Serial No. 10/596,734
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U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 1	Other Art See Page 1-2	

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C10	Lampeter <i>et al.</i> , "Inflammatory islet damage in patients bearing HLA-DR3 and/or DR4 haplotypes does not lead to islet autoimmunity," <i>Diabetologia</i> , 35:471-475, 1994.
	C11	Moreau <i>et al.</i> , "CAMP-TH-1H in multiple sclerosis," <i>Multiple Sclerosis</i> , 1:357-65, 1996.
	C12	Moreau <i>et al.</i> , "Preliminary evidence from magnetic resonance imaging for reduction in disease activity after lymphocyte depletion in multiple sclerosis," <i>Lancet</i> , 344:298-301, 1994.
	C13	Moreau <i>et al.</i> , "Transient increase in symptoms associated with cytokine release in patients with multiple sclerosis," <i>Brain</i> , 119:225-37, 1996a.
	C14	Pozzilli <i>et al.</i> , "Biochemical markers of type I diabetes: clinical use," <i>Scand. J. Clin. Invest.</i> , 61(suppl 235):38-44, 2001.
	C15	Savola <i>et al.</i> , "IA-2 antibodies in relation to other autoantibodies and genetic risk markers in children with recent onset IDDM," <i>Diabetologia</i> , 40(suppl 1):A70 (abstract).
	C16	Schnitzer <i>et al.</i> , "Subcutaneous administration of CAMP-TH-1H: clinical and biological outcomes," <i>J. Rheumatol.</i> , 24:1031-6, 1997.
	C17	Tarn <i>et al.</i> , "Predicting insulin-dependent diabetes," <i>Lancet</i> , 1(8590):845-850, 1988.
	C18	Todd, "Genetics of type 1 diabetes," <i>Pathol Biol Paris</i> , 45: 219-227, 1997.
	C19	Toms & Powrie, "Control of intestinal inflammation by regulatory T cells," <i>Microbes Infect.</i> , 3:929-935, 2001.
	C20	Wing <i>et al.</i> , "Mechanism of first-dose cytokine-release syndrome by CAMP-TH-1H: involvement of CD16 (FcγRIII) and CD11a/CD18 (LFA-1) on NK cells," <i>J. Clin. Invest.</i> , 102:2819-26, 1996.
	C21	Winter <i>et al.</i> , "Prevention strategies for type 1 diabetes mellitus current status and future directions," <i>Biodrugs</i> , 17:39-64, 2003.
	C22	Wucherpennig & Eisenbarth, "Type 1 diabetes," <i>Nature Immunol.</i> , 2(9): 767-768, 2001.
	C23	Yoon & Jun, "Cellular and molecular pathogenic mechanisms of Insulin-dependent diabetes mellitus," <i>Ann New Y. Acad Sci</i> , 928: 200-211, 2001.

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